

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL A. JACKSON,)
)
 Petitioner,) CASE NO. C13-0110-RSL
)
 v.)
) ORDER DISMISSING FEDERAL
 JULIE A. SPECTOR, *et al.*,) HABEAS PETITION
)
 Respondents.)
)
 _____)

This matter comes before the Court on the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge. Judge Theiler recommends dismissing petitioner's petition for writ of habeas corpus because he is no longer in custody on the July 2005 conviction identified in the petition. In response to the Report and Recommendation, petitioner filed a new petition, complete with an application to proceed *in forma pauperis*, related to an October 2012 conviction. Dkt. # 11. Petitioner has also filed a motion requesting release from the King County Jail. Dkt. # 13.

Having reviewed the Report and Recommendation, petitioner's new submissions, and the remaining record, it is hereby ORDERED:

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01 (1) The Court adopts the Report and Recommendation.

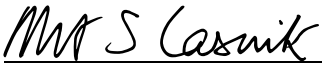
02 (2) Petitioner's petition for writ of habeas corpus (Dkt. # 4) and this action are
03 DISMISSED with prejudice.

04 (3) This dismissal is without prejudice to petitioner's ability to file a new action
05 seeking habeas relief regarding the October 2012 conviction.

06 (4) Petitioner's motion for release is DENIED.

07 (5) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the
08 United States District Courts, a certificate of appealability is DENIED.

09
10 DATED this 19th day of June, 2013.

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13 
14 ROBERT S. LASNIK
United States District Judge